

REMARKS

Claim Rejections

Claims 1-2 are rejected under 35 U.S.C. § 102(b) as being anticipated by Steriss (U.S. 2,697,395). Claim 1 and 3 are rejected under 35 U.S.C. § 102(b) as being anticipated by Dumas (U.S. 2,185,979).

Amendments to Specification

Applicant has amended the Specification as noted above to correct the reference number for the motor. No “new matter” has been added to the original disclosure by the foregoing amendments to the Specification.

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

New Claims

By this Amendment, Applicant has canceled claims 1-3 and has added new claims 4-6 to this application. It is believed that the new claims specifically set forth each element of Applicant’s invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims are directed toward a hot dog frying pan structure comprising: a frying pan (1) having a handle (10); a metal rack (2) located on a top surface of the frying pan and having: a plurality of rollers (20), each of the plurality of rollers having a first gear (21) located on a first end thereof, a selected roller of the plurality of rollers having a roller shaft (200) protruding outwardly from the first end thereof; a plurality of second gears (22), one second gear of the plurality of second gears is located between each set of two adjacent first gears; and a turning mechanism (3, 4) directly connected to the roller shaft of the selected roller and controlling a rotation of the plurality of rollers.

Other embodiments of the present invention include: the turning mechanism is a crank (3); and the turning mechanism is a motor (4).

The first primary reference to Steriss teaches a frankfurter grill having a flat grill plate (30), housings (63), a plurality of shields (45), and a pair of racks (56) slidably positioned in an upper housing. Each of the plurality of shields having trunnions at each of two opposing ends. The trunnions are connected to the pair of racks.

Steriss does not teach a frying pan having a handle; a metal rack located on a top surface of the frying pan; one second gear of the plurality of second gears is located between each set of two adjacent first gears; a turning mechanism directly connected to the roller shaft of the selected roller and controlling a rotation of the plurality of rollers; nor does Steriss teach the turning mechanism is a crank.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Steriss does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Steriss cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

The second primary reference to Dumas teaches a roasting device having a plurality of rollers. Each of the plurality of rollers having a hub (19) at each end. One hub of each of the plurality of rollers has a worm gear (26) connected thereto. All of the worm gears are driven by a worm shaft.

Dumas does not teach a frying pan having a handle; one second gear of the plurality of second gears is located between each set of two adjacent first gears; a turning mechanism directly connected to the roller shaft of the selected roller and controlling a rotation of the plurality of rollers; nor does Dumas teach the turning mechanism is a crank.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Dumas does not disclose each and every feature of Applicant's new claims and,

therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Dumas cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

It is further submitted that neither Steriss nor Dumas disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious the new claims.

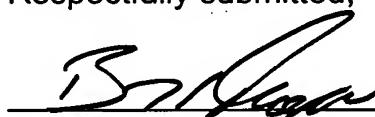
Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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